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Advancement of women

France and the Netherlands: draft resolution

Intensification of efforts to prevent and eliminate all forms of violence against women and girls: prevention and elimination of domestic violence

The General Assembly,

Recalling its resolutions 61/143 of 19 December 2006, 62/133 of 18 December 2007, 63/155 of 18 December 2008, 64/137 of 18 December 2009, 65/187 of 21 December 2010, 67/144 of 20 December 2012 and 69/147 of 18 December 2014, and all its previous resolutions on the elimination of violence against women and girls,

Recalling also its resolution 58/147 of 22 December 2003 and Human Rights Council resolution 29/14 of 2 July 2015,[1] on the elimination of domestic violence,

Recalling further all relevant resolutions of the General Assembly, the Human Rights Council and the Commission on Human Rights on the elimination of all forms of violence against women and girls, as well as relevant resolutions of the Security Council and relevant resolutions and agreed conclusions of the Commission on the Status of Women,

Reaffirming the Universal Declaration of Human Rights,[2] the International Covenant on Civil and Political Rights,[3] the International Covenant on Economic, Social and Cultural Rights,[3] the Convention on the Elimination of All Forms of Discrimination against Women,[4] the Convention on the Rights of the Child[5] and the

[1] See *Official Records of the General Assembly, Seventieth Session, Supplement No. 53* (A/70/53), chap. V, sect. A.
[2] Resolution 217 A (III).
[3] See resolution 2200 A (XXI), annex.
[4] United Nations, *Treaty Series*, vol. 1249, No. 20378.
[5] Ibid., vol. 1577, No. 27531.

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Convention on the Rights of Persons with Disabilities,[6] and taking note of the relevant recommendations of the Committee on the Elimination of Discrimination against Women,

Reaffirming also the Vienna Declaration and Programme of Action,[7] the Declaration on the Elimination of Violence against Women,[8] the Beijing Declaration and Platform for Action[9] and the Programme of Action of the International Conference on Population and Development,[10] and the outcomes of their review conferences,

Welcoming the commitment to gender equality and the empowerment of all women and girls in the 2030 Agenda for Sustainable Development,[11] the Addis Ababa Action Agenda of the Third International Conference on Financing for Development[12] and the agreed conclusions adopted by the Commission on the Status of Women at its sixtieth session[13] and previous sessions, and recognizing that women play a vital role as agents of development and acknowledging that realizing gender equality and the empowerment of all women and girls is crucial to making progress across all Sustainable Development Goals and targets,

Recalling in particular the commitment under Sustainable Development Goal 5 with regard to eliminating all forms of violence against all women and girls in the public and private spheres, and taking into account the commitments to achieve transformative change and to leave no one behind,

Deeply concerned about the pervasiveness of violence against women and girls in all its different forms and manifestations worldwide, and reiterating the need to intensify efforts to prevent and eliminate all forms of violence against women and girls in the public and private spheres in all regions of the world and to re-emphasize that violence against women and girls is unacceptable,

Deeply concerned also about all forms of violence against children and the corresponding impunity and lack of accountability, and that violence against women and girls is underrecognized and underreported, particularly at the community level, which reflects discriminatory norms that reinforce the lower status of women and girls in society,

Recognizing the need to eliminate all forms of violence against all women and girls, and in this connection recognizing the continuous efforts by relevant parts of the United Nations system, such as the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), the World Health Organization and the United Nations Population Fund, and noting the recent work on the development

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[6] Ibid., vol. 2515, No. 44910.

[7] A/CONF/157/24 (Part I), chap III.

[8] Resolution 48/104.

[9] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap I, resolution 1, annexes I and II.

[10] *Report of the International Conference on Population and Development, Cairo, 5-13 September 1994* (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex.

[11] Resolution 70/1.

[12] Resolution 69/313.

[13] See *Official Records of the Economic and Social Council, 2016, Supplement No. 7* (E/2016/27), chap I, sect. A.

of a global plan of action to strengthen the role of the health system within a national multisectoral response to address domestic violence against women and girls and against children, building on existing relevant work of the World Health Organization,

Recognizing also that all forms of violence against women and girls, including domestic violence, are rooted in historical and structural inequality in power relations between men and women, seriously violate and impair or nullify the enjoyment of all human rights and fundamental freedoms and constitute a major impediment to women's full, equal and effective participation in society, the economy and political decision-making,

Bearing in mind that women's poverty and lack of empowerment, as well as their marginalization resulting from their exclusion from social policies and from the benefits of education and sustainable development, can place them at increased risk of violence, and that violence against women and girls, including domestic violence, impedes the social and economic and therefore the sustainable development of communities and States, as well as the achievement of the 2030 Agenda for Sustainable Development,

Acknowledging the need to address violence against women and girls holistically, including through the recognition of the linkages between the prevention and elimination of violence against women and girls and the achievement of sustainable development, as reflected throughout the 2030 Agenda for Sustainable Development,

Recognizing that conflicts, trafficking in persons, terrorism, violent extremism, natural disasters, humanitarian emergencies and other emergency situations disproportionately affect women and girls, placing them at increased risk of violence, and recalling that when violence is committed against women and girls, all perpetrators of such violence should be duly investigated and, as appropriate, prosecuted and punished in order to end impunity, while stressing the need to respect international humanitarian law and human rights law,

Recognizing also the particular vulnerabilities of women and girls among refugees, displaced persons and migrants, including their exposure to discrimination and exploitation, as well as to sexual and physical abuse, violence, domestic violence, human trafficking and contemporary forms of slavery,

Gravely concerned that domestic violence, including intimate partner violence, remains the most prevalent and least visible form of violence affecting women and girls of all social strata across the world, and emphasizing that such violence constitutes violation, abuse or impairment of the enjoyment by women and girls of their rights and freedoms on a basis of equality with men and, as such, is unacceptable,

Recognizing the serious immediate and long-term implications for physical and psychological health, including sexual and reproductive health, and the intergenerational effects that domestic violence can present for individuals and families, as well as the particularly negative impact of domestic violence on women exercising their economic and political rights, including access to employment, voting and holding public office, and recognizing also that domestic violence is

consequently an impediment to women's empowerment and economic independence,

Underscoring the fact that shame, stigma, fear of reprisal and negative economic consequences, such as loss of livelihood or reduced household income, prevent many women and girls from leaving dangerous relationships, reporting or acting as witnesses in cases of domestic violence and seeking redress and justice for such crimes,

Recognizing that child, early and forced marriage places individuals, in particular the girl child, at risk of being exposed to and encountering various forms of discrimination and violence throughout their lives, including domestic violence, and constitutes a serious threat to multiple aspects of the physical and psychological health of women and girls, including but not limited to their sexual and reproductive health, significantly increasing the risk of early, frequent and unintended pregnancy, maternal and newborn mortality and morbidity, obstetric fistula and sexually transmitted infections, including HIV/AIDS, and that every girl and woman at risk of or affected by these practices must have equal access to quality services such as education, counselling, shelter and other social services and psychological, sexual and reproductive health-care services and medical care,

Reaffirming that female genital mutilation is a harmful practice, constituting a serious threat to the health of women and girls, including their psychological, sexual and reproductive health, increasing their vulnerability to HIV and possibly having adverse obstetric and prenatal outcomes, as well as fatal consequences for the mother and the newborn, and that the abandonment of this harmful practice can be achieved as a result of a comprehensive movement that involves all public and private stakeholders in society, including girls, boys, women and men,

Emphasizing that States should continue to adopt and implement legislation and policies, in accordance with their obligations under international law, in particular the obligations in human rights treaties, and in line with all their international commitments, which address the issue of violence against women and girls in a comprehensive manner, not only by criminalizing violence against women and girls and providing for prosecution of the perpetrators, but also by including protection and preventive measures and access to just and effective remedies for victims of violence against women and girls, with provisions for adequate funding for their implementation,

Stressing that States have the obligation, at all levels, to promote and protect all human rights and fundamental freedoms for all, including women and girls, and must exercise due diligence to prevent, investigate, prosecute and hold to account the perpetrators of all forms of violence against women and girls and eliminate impunity and provide for access to appropriate remedies for victims and survivors, and should ensure the protection and empowerment of women and girls, including adequate enforcement of civil remedies, orders of protection and criminal sanctions, and the provision of shelters, psychosocial services, counselling, health-care and other types of support services, in order to avoid revictimization, and that to do so contributes to the enjoyment of human rights and fundamental freedoms by women subjected to violence,

Welcoming the major contributions made by civil society, including women's and community-based organizations, feminist groups, women human rights defenders and girls' and youth-led organizations, the media, and men and boys, in the efforts to eliminate all forms of violence against women and girls, including domestic violence, and in placing the interests, needs and visions of women and girls on local, national, regional and international agendas, including the 2030 Agenda for Sustainable Development, and recognizing the importance of having an open, inclusive and transparent engagement with those actors in the gender-responsive implementation of the 2030 Agenda for Sustainable Development,

Recognizing the important role of families in combating violence against women and girls and the need to support their capacity to prevent and eliminate all forms of violence against women and girls,

1. *Calls upon* all States to implement and put into practice the commitment under Sustainable Development Goal 5 to eliminate all forms of violence against all women and girls in the public and private spheres;

2. *Stresses* that "violence against women" means any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women and girls, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life, and also notes the economic and social harm caused by such violence;

3. *Recognizes* that gender-based violence is a form of discrimination that seriously inhibits women's ability to enjoy rights and freedoms on a basis of equality with men and that its root causes are gender inequality, discrimination and unequal power relations between men and women;

4. *Emphasizes* that domestic violence can take many different forms and occurs within families or domestic units, and generally between current or former partners or individuals who are related through blood or intimacy;

5. *Strongly condemns* all forms of violence against women and girls, of which domestic violence is the most prevalent and least visible form; such violence constitutes an impediment to the full realization by women and girls of their human rights and its consequences are long-lasting and profound and affect many areas of the lives of victims;

6. *Stresses* that violence against women and girls, including domestic violence, is a major impediment to achieving gender equality, development, peace, security and the internationally agreed development goals, in particular the 2030 Agenda for Sustainable Development;

7. *Calls upon* States to strongly condemn and make punishable by law all forms of violence against women and girls, including domestic violence, and to refrain from invoking any custom, tradition or religious consideration to avoid their obligations with respect to its elimination, including harmful practices such as child, early and forced marriage and female genital mutilation, as set out in the Declaration on the Elimination of Violence against Women;[14]

[14] See resolution 48/104.

8. *Stresses* that, despite important steps taken by many countries around the world, States should continue to focus on the prevention of all forms of violence against women and girls, as well as on their protection, their empowerment and the provision of services, and should therefore implement laws and policies for ending all forms of violence against women and girls and monitor and rigorously evaluate the implementation of available programmes, policies and laws and improve, where possible, their impact, accessibility and effectiveness;

9. *Calls upon* States to prioritize and effectively address the prevention of and response to all forms of violence against women and girls in armed conflict and post-conflict situations and in humanitarian crisis situations, through prevention measures and the investigation and prosecution of perpetrators;

10. *Stresses* the need to ensure that no one is left behind in implementing the 2030 Agenda for Sustainable Development, and in this regard recognizes the challenges faced by refugee and migrant women and girls and the need to protect and empower them, including in countries in conflict and post-conflict situations, the need to tackle the multiple and intersecting forms of discrimination they face and the need to strengthen the resilience of communities hosting refugees, and underscores the importance of development support for those communities, particularly in developing countries;

11. *Urges* States to support the initiatives aimed at promoting gender equality and at preventing, responding to and protecting women and girls from domestic violence that have been undertaken, inter alia, by national human rights institutions where they exist, civil society, including non-governmental organizations, women's and community-based organizations, feminist groups, youth-led organizations, faith-based organizations, the private sector, employer organizations, trade unions, the media and other relevant actors;

12. *Calls upon* States to prevent, address and eliminate domestic violence as a matter of priority, including by:

(a) Adopting, strengthening and implementing legislation that prohibits domestic violence and penalizes offences involving physical, sexual and psychological violence and economic deprivation occurring in families, which encompasses, but is not limited to, battering, sexual abuse of women and girls in the household, incest, dowry-related violence, marital rape, intimate partner violence, femicide, female infanticide, crimes committed against women and girls in the name of so-called "honour", crimes committed in the name of passion and practices harmful to women and girls such as child, early and forced marriage, forced sterilization, forced abortion, forced pregnancies, sexual slavery and female genital mutilation, and establishing adequate legal protection against such violence, including victim and witness protection from reprisals for bringing complaints or giving evidence;

(b) Preventing violations and taking steps to prevent abuse of the human rights of women and girls, devoting particular attention to abolishing practices and legislation that discriminate against women and girls, including discriminatory provisions in family or personal status laws, eliminating prejudices and harmful practices and raising awareness of the unacceptability of violence against women and girls, including domestic violence, at all levels;

(c) Accelerating efforts to develop, review and strengthen inclusive policies, including by allocating adequate resources to address the structural and underlying causes of domestic violence against women and girls by eliminating gender stereotypes, encouraging the media to examine the impact of gender-role stereotypes, including those perpetuated by commercial advertisements that foster gender-based violence and inequality, promoting zero tolerance for such violence and removing the stigma of being a victim and survivor of violence, thus creating an enabling and accessible environment where women and girls can easily report incidents of violence and make use of the services available, including protection and assistance programmes;

(d) Taking measures to ensure that all officials responsible for implementing policies and programmes aimed at preventing violence against women and girls, including domestic violence, protecting and assisting the victims and investigating and punishing acts of violence receive ongoing and adequate training to sensitize them to gender-specific needs as well as the underlying causes and short- and long-term impact of domestic violence;

(e) Evaluating and assessing the impact of current legislation, rules and procedures regarding violence against women and girls, including domestic violence, improving rates of reporting and addressing the high attrition rate from reporting to conviction, and reinforcing, where necessary, criminal law and procedure relating to all forms of violence against women and girls, including domestic violence, with a focus on prevention and the protection of women and easy access to redress for victims;

(f) Ensuring the promotion and protection of the rights of all women and their sexual and reproductive health and rights, including their capacity to protect themselves from the consequences of violence, including domestic violence, and HIV/AIDS infection, in accordance with the Programme of Action of the International Conference on Population and Development,[10] the Beijing Platform for Action[9] and the outcome documents of their review conferences, including through the development and enforcement of policies and legal frameworks and the strengthening of health systems that make universally accessible and available quality, comprehensive sexual and reproductive health-care services, commodities, information and education, including, inter alia, safe and effective methods of modern contraception, including emergency contraception, prevention programmes for adolescent pregnancy, maternal health care such as skilled birth attendance and emergency obstetric care, which will reduce obstetric fistula and other complications of pregnancy and delivery, safe and legal abortion, and prevention and treatment of reproductive tract infections, sexually transmitted infections, HIV and reproductive cancers, recognizing that human rights include the right to have control over and decide freely and responsibly on matters related to sexuality, including sexual and reproductive health and rights, free from coercion, discrimination and violen

13. *Urges* States to address structural and underlying causes and risk factors so as to prevent domestic violence, including by:

(a) Investing in the realization of the right to education, including through gender-sensitive educational programmes, in particular in rural and remote areas, by

closing the gender gap at all levels of education in order to ensure that all individuals are portrayed in positive, non-stereotypical roles, thereby contributing to the empowerment of women and girls and to the elimination of domestic violence;

(b) Encouraging men and boys, as well as families and communities, to take an active part and become strategic partners and allies in the prevention and elimination of all forms of violence and discrimination against women and girls, including domestic violence, as well as violence against boys, in order to break intergenerational cycles of violence, by promoting effective preventive measures at an early stage for those exposed to or at risk of domestic violence, such as education and programmes on parenting and child counselling services, to reduce the risk of possible perpetration of violence or revictimization;

(c) Promoting awareness among all individuals and public and private actors, of the need to combat violence against women and girls occurring in public or private life, inter alia, through regular and repeated use and funding of awareness-raising campaigns nationwide and other ways to promote prevention and protection and the transformation of discriminatory social norms and gender stereotypes, as part of an integrated prevention strategy;

(d) Taking measures to empower women by, inter alia, strengthening their economic autonomy and ensuring their full and equal participation in society and in decision-making processes by adopting and implementing social and economic policies that guarantee women full and equal access to quality education, including comprehensive education on sexuality, and training and affordable and adequate public and social services, as well as full and equal access to financial resources and decent work and full and equal rights to own and have access to and control over land and other property, guaranteeing women's and girls' inheritance rights and taking further appropriate measures to address the increasing rate of homelessness of and inadequate housing for women in order to reduce their vulnerability to violence;

(e) Adopting all appropriate measures in the field of education to modify the social and cultural patterns of conduct of men and women of all ages in order to promote the development of respectful relations and to eliminate prejudices, harmful customary practices and all other practices based on the idea of the inferiority or superiority of either of the sexes and on stereotyped roles for men and women, and raising awareness of the unacceptability of violence against women and girls at all levels, in the public and private spheres, including through comprehensive education on sexuality;

14. *Also urges* States to take effective action to protect victims of all forms of violence, including domestic violence, including by:

(a) Providing relevant, comprehensive, victim-centered legal protection to support and assist victims of domestic violence within the framework of their national legal systems, including, as appropriate, legislative or other measures throughout the criminal and civil justice system, such as specialized courts, protection orders, the use of threat assessments and risk analysis tools, and provisions to address their special needs as witnesses at all stages of investigations and judicial proceedings;

(b) Establishing comprehensive, coordinated, interdisciplinary, accessible and sustained multisectoral services, programmes and responses at all levels for all victims and survivors of all forms of violence against women and girls, including domestic violence, that are adequately resourced and include effective and coordinated action by, as appropriate, police and the justice sector, legal aid services, health-care services, including for sexual and reproductive health, and medical and psychological assistance and counselling services, as well as State and independent shelters for women and counselling centres, 24-hour hotlines, social aid services, one-stop crisis centres, child aid services, skills training and public housing services that would provide easy-to-reach and safe assistance for women and children, including women and girls with disabilities, as well as assistance, protection and support through access to long-term accommodation, and in cases of girl child victims ensuring that such services and responses take into account the best interests of the child;

(c) Providing for access to appropriate remedies for victims and survivors, and ensuring the protection and empowerment of women and girls, including through adequate enforcement by police and the judiciary of civil remedies, orders of protection and criminal sanctions;

(d) Establishing and/or strengthening police and health workers' response protocols and procedures to ensure that all appropriate actions are taken to protect victims of domestic violence and to recognize acts of violence and prevent further acts of domestic violence;

(e) Putting in place measures to ensure the availability and accessibility for victims and survivors and their children of services, programmes and opportunities for their full recovery and reintegration into society, as well as full access to justice, including for those subjected to domestic violence and other forms of violence, and ensuring the provision of adequate and timely information on available support services and legal measures, when possible in a language that they understand and in which they can communicate;

15. *Encourages* States to ensure the collection, analysis and dissemination of data disaggregated by sex, age and other relevant parameters in accordance with the 2030 Agenda for Sustainable Development, including, where appropriate, administrative data from the police, the health sector and the judiciary, to monitor all forms of violence against women and girls, including domestic violence, with the involvement of national statistical offices and, where appropriate, in partnership with other actors, including law enforcement agencies, in order to effectively review and implement laws, policies, strategies and preventive and protective measures, while ensuring and maintaining the privacy and confidentiality of the victims;

16. *Urges* the international community, including the United Nations system and, as appropriate, regional and subregional organizations, to support national efforts to promote the empowerment of women and girls and gender equality in order to prevent and eliminate all forms of violence against women and girls, including domestic violence, through the development and implementation of national action plans on the elimination of violence against women and girls;

17. *Stresses* that, within the United Nations system, adequate resources should be assigned to the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) and other bodies, the specialized agencies, funds and programmes responsible for the promotion of gender equality, the

empowerment of women and the rights of women and girls and to efforts throughout the United Nations system to prevent and eliminate all forms of violence against all women and girls, including domestic violence, and calls upon the United Nations system to make the necessary support and resources available to eliminate domestic violence;

18. *Also stresses* the importance of the Secretary-General's global database on violence against women, expresses its appreciation to all the States that have provided the database with information regarding, inter alia, their national policies and legal frameworks aimed at eliminating violence against women and girls and supporting victims of such violence, strongly encourages all States to regularly provide updated information for the database, calls upon all relevant entities of the United Nations system to continue to support States in the compilation and regular updating of pertinent information and to raise awareness of the database among all relevant stakeholders, including civil society, and encourages the Secretary-General to pay particular attention to domestic violence, including intimate partner violence;

19. *Acknowledges* the work of the Statistics Division of the Department of Economic and Social Affairs of the Secretariat, as requested by the Statistical Commission, on the development of guidelines to support the production by Member States of statistics on violence against women and girls;

20. *Calls upon* all United Nations bodies, entities, funds and programmes and the specialized agencies, and invites the Bretton Woods institutions, to intensify their efforts at all levels to eliminate all forms of violence against women and girls and to better coordinate their work with a view to increasing effective support for national efforts to prevent and eliminate domestic violence against women and girls;

21. *Requests* the Special Rapporteur on violence against women, its causes and consequences to present an annual report to the General Assembly at its seventy-second session;

22. *Requests* the Secretary-General to submit to the General Assembly at its seventy-third session a report containing:

(a) Information provided by the United Nations bodies, funds and programmes and the specialized agencies on their follow-up activities to implement resolution 69/147 and the present resolution, including on their assistance to States in their efforts to eliminate all forms of violence against women and girls, with particular attention to the efforts to eliminate domestic violence;

(b) Information provided by States on their follow-up activities to implement Sustainable Development Goal 5 and the present resolution;

23. *Also requests* the Secretary-General to present an oral report to the Commission on the Status of Women at its sixty-first and sixty-second sessions, including information provided by the United Nations bodies, funds and programmes and the specialized agencies on recent follow-up activities to implement resolutions 67/144, 69/147 and the present resolution, and urges United Nations bodies, entities, funds and programmes and the specialized agencies to contribute promptly to that report;

24. *Decides* to continue the consideration of the elimination of all forms of violence against women and girls at its seventy-third session under the item entitled "Advancement of women".